

RECEIVED
CENTRAL FAX CENTER

BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040
Telephone: (650) 961-8300 Facsimile: (650) 961-8301
www.beyerlaw.com

NOV 11 2005

FACSIMILE COVER SHEET

November 11, 2005

Receiver: U.S. Patent and Trademark Office

TEL #:

FAX #: (571) 273-8300

Sender: Susan W. Xu for Ramin Mahboubian

Our Ref. No.: STELP001

Re: Application No. 10/015,501

Pages Including Cover Sheet(s): (05)

MESSAGE:

Sir:

Please deliver the attached Applicant initiated Interview Request Form for the above referenced application to Examiner Mirza.

Please enter this in the file.

CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kerry Champion

Attorney Docket No.: STELP001

Application No.: 10/015,501

Examiner: MIRZA, ADNAN M. RECEIVED
CENTRAL FAX CENTER

Filed: December 11, 2001

Group: 2145

Title: TRAFFIC MANAGER FOR
DISTRIBUTED COMPUTING ENVIRONMENTS

Confirmation No.: 6519

NOV 11 2005

CERTIFICATE OF FACSIMILE TRANSMISSION
 I hereby certify that this correspondence is being transmitted by
 facsimile to fax number 571-273-8300 of the U.S. Patent and
 Trademark Office on November 11, 2005.

 Signed: Susan W. Xu
 Susan W. Xu
APPLICANT INITIATED INTERVIEW REQUEST FORM
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Tentative Participants:

 1) R. Mahboubian 2)
 3) 4)

 Proposed Date of Interview: November 23, 2005 Proposed Time: 2:00 PM (Eastern Time)

Type of Interview Requested:

 Telephone Personal Video Conference

 Exhibit to be Shown or Demonstrated: Yes No
 If yes, provide brief description:

Issues (Rej., Obj., etc.)	Claims/ Fig., #s	<u>ISSUES TO BE DISCUSSED</u>			
		Prior Art	Discussed	Agreed	Not Agreed
1) 103	Claims 1	Gourraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUN1P815/P5613

1 of 4

BRIEF DESCRIPTION OF ARGUMENTS TO BE PRESENTED:

In the Office Action, the Examiner has rejected claims 1-57 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0026473 (*Gourraud*) and further in view of U.S. patent Application Publication 2002/0161826 (*Arteaga et al.*). This rejection is respectfully traversed below for at least the following reasons:

It is noted that *Gourraud* states that:

"...a telecommunication system comprises a service node adapted to communicate according to predetermined criteria via an application programming interface with at least one application or via a networking protocol. At least one network entity is adapted to send to the service node a networking protocol trigger that includes an API requirement. The API requirement requests an API response to the trigger. The service node is adapted to respond, depending on the predetermined criteria, to the network entity according to the networking protocol or to communicate with the at least one application via the application programming interface." (Page 4, paragraph [0042])

However, it is respectfully submitted that *Gourraud* does NOT teach generating or publishing a second interface in accordance with at least one policy for communication between a client and a server node. It should also be noted that the second interface corresponds to a first interface that can be used to communicate with a server node.

Furthermore, it is also noted that *Gourraud* states:

"Although the architecture 300 is shown as employing a single set of APIs 314, it will be understood by those of ordinary skill in the art that internal-service APIs and external-service APIs, such as those described in the co-pending United States Patent Application entitled "COMMUNICATION METHOD AND SYSTEM INCLUDING INTERNAL AND EXTERNAL APPLICATION-PROGRAMMING INTERFACES," filed concurrently with this application and bearing Attorney Docket No. 27950-484USPT, can be employed in connection with the present invention. When external-service APIs and internal-service APIs are used, the present invention is preferably employed in concert with the internal-service APIs. In the alternative, the present invention can be practiced without the use of internal-service APIs and external-service APIs, but rather with the

single set of APIs 314 that are in some respects analogous to the internal-service APIs."
(Page 5, paragraph [0054])

However, it is very respectfully submitted that *Gourraud* does NOT teach a traffic manager that can communicate with both the client and server node. Accordingly, it is respectfully submitted that *Gourraud* cannot possibly teach or suggest a traffic manager that communicates with both a server and a client, wherein the traffic manager generates and publishes a second interface for communication with the client node.

In the Office Action, the Examiner has noted that *Gourraud* does NOT disclose communication via the second interface to allow the client node to access a service in accordance with one policy. Initially, it is respectfully submitted that the serious deficiency of *Gourraud* cannot possibly be cured by another reference. Moreover, it is respectfully submitted that creating a SOAP envelop and sending a request to a remote server does NOT teach communicating with a client node via a second interface generated for a first interface based on at least one policy.

Finally, it is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness as a motivation or suggestion for combining *Gourraud* and *Arteaga et al.* is lacking. Moreover, neither *Gourraud* nor *Arteaga et al.* teach or even remotely suggest generating or publishing, a second interface for a first interface, based on at least one policy for facilitating communication between two entities (e.g., a server and client).

Claim 1. (Currently Amended) A traffic manager for facilitating communication between a client node and a server node in a distributed computing environment in accordance with at least one policy, the server node having a first interface associated therewith, the traffic manager capable of communicating with both the client node and the server node and comprising a central processing unit which is operable to:

communicate with the server node via the first interface,

generate and publish at least a second interface, for corresponding to the first interface, in accordance with said according to at least one policy, and

communicate with the client node via the second interface, thereby allowing the client node to access at least one service on the server node via the traffic manager in accordance with the at least one policy.

An interview was conducted on the above-identified application on

*Note: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 C.F.R. 1.33(b)) as soon as possible.

(Applicant/Applicant's Representative)
Signature)

(Examiner/SPE Signature)

SUN1P815/P5613

4 of 4

PAGE 5/5 * RCV'D AT 11/11/2005 6:34:14 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/26 * DNI:2738300 * CSID:16509618301 * DURATION (mm:ss):02:22